

# **Exhibit 1**



International Refugee  
Assistance Project

Date: April 10, 2025

*Submitted via USCIS online portal FIRST*

U.S. Citizenship and Immigration Services (USCIS)

National Records Center (NRC)

FOIA/PA Office

P.O. Box 648010

Lee's Summit, MO 64064-8010

**Re: Freedom of Information Act Request for USCIS Directive Pausing Adjustment of Status Applications for Refugees and Asylees**  
***EXPEDITED PROCESSING REQUESTED***

Dear FOIA Officer:

This letter constitutes a request pursuant to the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552, submitted on behalf of the International Refugee Assistance Project ("IRAP" or "Requestor").

This request seeks a single document: a USCIS directive, date unknown, ordering an administrative pause on processing adjustment of status applications filed by refugees and asylees.<sup>1</sup> As of the last quarter of Fiscal Year 2024, 80,954 asylees and 44,601 refugees had adjustment of status applications pending before USCIS.<sup>2</sup>

IRAP asks that USCIS expedite its processing of this request and that any fees associated with this request be waived.

**I. Requestor**

Requestor, IRAP, is a 501(c)(3) non-profit organization that utilizes media and systemic policy advocacy, direct legal aid, and impact litigation to serve refugees, asylum seekers and other people seeking safety. IRAP's mission includes disseminating current information about topics related to pathways for safety for displaced persons. *See* <https://refugeerights.org/who-we-are/mission-values>; <https://refugeerights.org/news-resources-2>.

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<sup>1</sup> *See* Camilo Montoya-Galvez, *Trump administration pauses some green card applications as part of aggressive vetting effort*, CBS NEWS, (Mar 25, 2025, 1:42 PM), <https://www.cbsnews.com/news/green-card-applications-trump-administration/>.

<sup>2</sup> *See* ALL USCIS APPLICATION AND PETITION FORM TYPES (FISCAL YEAR 2024, QUARTER 4), USCIS, (Dec. 18, 2024), [https://www.uscis.gov/sites/default/files/document/data/quarterly\\_all\\_forms\\_fy2024\\_q4.xlsx](https://www.uscis.gov/sites/default/files/document/data/quarterly_all_forms_fy2024_q4.xlsx) (hereinafter "FY24 Data").

## II. Request for Information

**IRAP seeks just one document:** a USCIS directive, memorandum, or guidance document issued on an unknown date between January 20, 2025 and March 25, 2025, ordering an administrative pause on the processing, adjudication and/or finalizing of Adjustment of Status applications filed by refugees and asylees (the “AOS Pause Directive”). The existence of this directive was first reported by CBS News on March 25, 2025. *See* Camilo Montoya-Galvez, *Trump administration pauses some green card applications as part of aggressive vetting effort*, CBS News, Mar. 25, 2025, <https://www.cbsnews.com/news/green-card-applications-trump-administration/>, attached as **Exhibit A**.

## III. Request to Expedite Processing

Requestor IRAP, a nonprofit organization that provides legal services to refugees and asylees, asks that USCIS expedite the processing of this FOIA request. Expedited processing is warranted because (1) there is “an urgency to inform the public about an actual or alleged federal government activity” by an organization “primarily engaged in disseminating information”; (2) the lack of expedited processing could pose an imminent threat to the life or physical safety of individuals impacted by the pause; and (3) the single policy document subject to this FOIA request involves the “loss of substantial due process rights.” *See* 5 U.S.C. § 552(a)(6)(E)(v)(II); 6 C.F.R. § 5.5(e)(1).

**First**, Requestor must obtain the AOS Pause Directive as soon as possible because the AOS Pause Directive potentially leaves at least approximately 120,000 refugees and asylees imminently vulnerable to removal to countries where their physical safety or lives are in danger.<sup>3</sup> *See* 6 C.F.R. § 5.5(e)(1)(i).

The pause of adjustment of status case processing leaves refugees and asylees in limbo, without knowing whether they still have a means of achieving stability and safety in the United States after “fleeing persecution, torture and harm” in their home countries.<sup>4</sup> Requestor—and the public—must review the AOS Pause Directive immediately in order to understand the scope and basis of the administrative pause of adjustment of status applications filed by asylees and refugees, and to understand the impact on their ability to be granted lawful permanent residence in the United

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<sup>3</sup> *See* FY24 Data (noting approximately 44,601 and 80,954 adjustment of status applications awaited decisions by USCIS for refugees and asylees, respectively); Lindsay Muir Harris, *Administration pause on “green card” processing is harmful to refugees and asylees*, THE HILL, (Apr. 3, 2025, 11:30 AM), <https://thehill.com/opinion/5228314-immigration-policy-change/> (stating that refugees are required to apply for lawful permanent resident status one year after arrival to the United States); Dan Gooding, *Trump Administration Pauses Some Green Card Applications*, NEWSWEEK, (Mar. 25, 2025, last updated 6:38 PM), <https://www.newsweek.com/trump-administration-pauses-green-card-applications-refugees-asylum-seekers-2050388> (noting that “[t]he pause potentially leaves thousands of applicants with an even longer wait time for permanent residency while some of the legal pathways they arrived on are being dismantled by the Trump administration.”); *cf.* Mattathias Schwartz, *Judge Blocks Trump Executive Order to Suspend Refugee Program*, N.Y. TIMES, (February 25, 2025), <https://www.nytimes.com/2025/02/25/us/politics/trump-refugee-program.html> (noting that “[m]ore than 3 million refugees have been admitted to the United States under the [USRAP].”).

<sup>4</sup> *See* Ex. 4.

States, including any basis to challenge the suspension and delay of their applications. Without access to the AOS Pause Directive, hundreds of thousands of people will be left in limbo, and could be vulnerable to potential deportation, without due process, and harm in their home countries based on an undisclosed government directive.<sup>5</sup> See 5 U.S.C. § 552(a)(6)(E)(v)(II); 6 C.F.R. § 5.5(e)(1).

**Second**, the AOS Pause Directive is urgently needed to inform the public about “actual or alleged federal government activity” specifically, USCIS’s pause on processing applications for Adjustment of Status filed by refugees and asylees. See 5 U.S.C. § 552(a)(6)(E)(v)(II); 6 C.F.R. § 5.5(e)(1)(ii).

According to reporting of a statement by the Department of Homeland Security, USCIS has already implemented an administrative pause of refugee and asylee Adjustment of Status applications “pending the completion of additional screening and vetting”. See Ex. A. However, without the final AOS Pause Directive itself, impacted individuals and the public have little to no understanding of the federal government’s policy, the details surrounding or rationale for the pause, or how to challenge or request review of a pause in a particular person’s case or on a systemic basis.<sup>6</sup>

The federal government’s actions substantially limiting access to asylum and suspending the U.S. refugee admissions program, has garnered widespread public interest<sup>7</sup> and the AOS Pause

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<sup>5</sup> See, e.g., Priscilla Alvarez and Michael Williams, Trump administration concedes Maryland father from El Salvador was mistakenly deported and sent to mega prison, <https://www.cnn.com/2025/04/01/politics/maryland-father-mistakenly-deported-el-salvador-prison/index.html>, CNN, (Apr. 2, 2025, last updated 3:37 PM) (describing the detention and wrongful deportation without due process of a noncitizen granted Withholding of Removal status); Tom Phillips and Clavel Rangel, ‘Deported because of his tattoos’: has the US targeted Venezuelans for their body art?, THE GUARDIAN, (Mar. 20, 2025, 7:42 PM), <https://www.theguardian.com/us-news/2025/mar/20/deported-because-of-his-tattoos-has-the-us-targeted-venezuelans-for-their-body-art> (profiling asylum seekers who, without due process, were detained and deported by the government).

<sup>6</sup> See Ex. A; see also, Suzanne Gamboa and Laura Strickler, *Trump administration stops processing some green cards ‘to do more vetting’*, NBC NEWS, (Mar. 25, 2025, 6:18 PM), <https://www.nbcnews.com/news/latino/trump-administration-stops-processing-green-cards-vetting-rcna198061> (“[USCIS’s] statement did not address which applications were affected, whether the pause would affect spending at the agency, how long it would last and other questions asked by NBC News.”).

<sup>7</sup> See, e.g., *supra* notes 3, 5; see also Edward Helmore, *Trump administration apologizes for telling Ukrainian refugees to leave US*, THE GUARDIAN, (Apr. 5, 2025, last updated 2:05 PM), <https://www.theguardian.com/us-news/2025/apr/05/trump-administration-apologizes-ukrainian-refugees> (describing the aftermath of the government’s mistaken notice to Ukrainian refugees to “depart the United States immediately” or they would “be subject to potential law enforcement actions [resulting] in [their] removal from the United States.”); Mattathias Schwartz, *Judge Blocks Trump Executive Order to Suspend Refugee Program*, N. Y. TIMES, (February 25, 2025), <https://www.nytimes.com/2025/02/25/us/politics/trump-refugee-program.html> (highlighting the public’s interest in challenges to the government’s efforts to dismantle the USRAP, which has admitted “[m]ore than 3 million refugees [...] to the United States.”); Sergio Martínez-Beltrán, *President Trump’s suspension of asylum marks a break from U.S. past*, NPR, (Jan. 23, 2025, last updated 12:14 PM), <https://www.npr.org/2025/01/23/nx-s1-5272406/trump-suspends-asylum> (reporting the impact of the government’s unprecedented suspension of asylum at the U.S.-Mexico border.).

Directive itself has been subject to numerous media articles.<sup>8</sup> It is thus critical for the public to have a clear understanding of a federal policy that curtails benefits for refugees and asylum seekers in the United States. *See* 6 C.F.R. § 5.5(e)(3) (“The existence of numerous articles published on a given subject can be helpful to establishing the requirement that there be an ‘urgency to inform’ the public on the topic”).

Further, Requestor is an organization “primarily engaged in disseminating information.” *See* 6 C.F.R. § 5.5(e)(1)(ii). Dissemination, at no cost, of accurate, current information about topics related to pathways to safety for displaced persons is crucial to IRAP’s mission to create a world where people seeking safety are empowered. *See* <https://refugeerights.org/who-we-are/mission-values>. IRAP routinely uses materials obtained through FOIA and other methods to create and publish informational and educational materials about safe pathways for displaced people. These materials are widely disseminated to the public free-of-charge through IRAP’s legal information website, blogs and publications posted on its website,<sup>9</sup> and social media platforms. *See, e.g.,* <https://twitter.com/IRAP>; <https://www.facebook.com/RefugeeAssist/>. IRAP’s website dedicated to providing legal information about migration pathways to displaced people. *See* <https://support.iraplegalinfo.org/hc/en-us> was viewed by over 108,000 unique visitors between March 2024 and 2025. In the same timeframe, IRAP’s News & Resources pages, *see* <https://refugeerights.org/news-resources>, that host its publications were viewed by over 200,000 unique visitors. Additionally, Requestor has frequent contact with national print and news media and plans to share the AOS Pause Directive with interested outlets. *See* <https://refugeerights.org/news-resources>. It is critical and urgent that a federal policy pausing the processing of adjustment of status applications and other benefits to at least 120,000 people in the United States be made public.

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<sup>8</sup> *See, e.g.,* Ex. A.; Adam Gabbatt, *Trump officials pause some green card applications in immigration crackdown*, THE GUARDIAN, (Mar. 26, 2025, 9:41 PM), <https://www.theguardian.com/us-news/2025/mar/26/trump-signal-chat-middle-east-opinion>; Luis Pablo Beauregard, *Green Card Applications for Refugees and Asylees Suspended by Trump Administration*, EL PAÍS, (Mar. 26, 2025, 4:55 PM), <https://english.elpais.com/usa/2025-03-26/united-states-suspends-green-card-processing-for-some-refugees-and-asylees.html>; Allison Detzel, *Trump administration pauses processing some green cards, throwing thousands into limbo*, MSNBC, (Mar. 26, 2025, 4:48 PM), <https://www.msnbc.com/top-stories/latest/trump-pauses-green-card-immigration-vetting-rcna198249>, Suzanne Gamboa and Laura Strickler, *Trump administration stops processing some green cards ‘to do more vetting’*, NBC NEWS, (Mar. 25, 2025, 6:18 PM), <https://www.nbcnews.com/news/latino/trump-administration-stops-processing-green-cards-vetting-rcna198061>, Dan Gooding, *Trump Administration Pauses Some Green Card Applications*, NEWSWEEK, (Mar. 25, 2025, last updated 6:38 PM), <https://www.newsweek.com/trump-administration-pauses-green-card-applications-refugees-asylum-seekers-2050388>; Rebecca Beitsch, *Administration pause on ‘green card’ processing is harmful to refugees and asylees*, THE HILL, (Mar. 25, 2025, 3:51 PM), <https://thehill.com/homenews/5213453-us-green-card-application-pause/>.

<sup>9</sup> *See, e.g.,* IRAP, *IRAP Shares Its Archive of Thousands of U.S. Government Policy and Training Documents Obtained Through the Freedom of Information Act*, <https://refugeerights.org/news-resources/irap-shares-its-archive-of-thousands-of-u-s-government-policy-and-training-documents-obtained-through-the-freedom-of-information-act> (Dec. 19, 2024); IRAP, *Offshoring Human Rights: Detention of Refugees at Guantánamo Bay*, available at: <https://refugeerights.org/wp-content/uploads/2024/09/Offshoring-Human-Rights-Guantanamo-Bay-English-Report-September-2024-1.pdf> (last updated Sept. 2024).

**Third**, this FOIA request implicates the “loss of substantial due process rights.” *See* 6 C.F.R. § 5.5(e)(1)(iii). As noted above, the unpublicized AOS Pause Directive *indefinitely* paused pending immigration applications filed by up to 120,000 refugees and asylees, seemingly without giving the impacted applicants notice of or an opportunity to challenge the indefinite pause—essentially a constructive denial—of their applications. The federal government’s constructive denial of immigration benefits, carried out via a nonpublic directive, likely violates applicants’ right to due process. *See, e.g., Salgado-Diaz v. Gonzales*, 395 F.3d 1158, 1162 (9th Cir. 2005) (“Immigration proceedings . . . must conform to the Fifth Amendment’s requirement of due process”).

IRAP certifies that the information provided in support of the request for expedited processing is true and correct to the best of the Requestor’s knowledge and belief. *See* 5 U.S.C. § 552(a)(6)(E)(vi) and 6 C.F.R. § 5.5(e)(3).

#### **IV. Request for Fee Waiver**

The Requestor requests that USCIS waive all fees associated with this FOIA request. IRAP is entitled to a fee waiver because disclosure of the AOS Pause Directive “is likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in the commercial interest of the requester.” 5 U.S.C. § 552(a)(4)(A)(iii); *see also* 6 C.F.R. § 5.11(k) (records may be furnished without charge or at a reduced rate if the information is in the public interest, and disclosure is not in commercial interest of the requester).

##### **a. Disclosure of the Information is in the Public Interest**

Disclosure of the AOS Pause Directive will contribute significantly to the public’s understanding of how the United States is processing applications for immigration benefits. In determining whether a disclosure of information is in the public interest, the Agency considers whether: (i) the subject of the request concerns “operations or activities of the federal government”; (ii) the disclosure is likely to contribute to an increased public understanding of government operations or activities; (iii) the disclosure of the requested information will contribute to the understanding of a “reasonably broad audience of persons interested in the subject”; and (iv) disclosure is likely to contribute a “significant extent” to the public’s understanding of the subject in question. 6 C.F.R. §§ 5.11(k)(2)(i)-(iv). Each of these factors is satisfied here.

**First**, the AOS Pause Directive pertains directly to “operations or activities of the federal government,” namely how USCIS, a federal agency, plans to treat applications for adjustment of status filed by at least approximately 120,000 refugees and asylees.

**Second**, disclosure of the currently private AOS Pause Directive will contribute to public understanding of USCIS’s decision to pause processing of applications for adjustment of status, filed by at least approximately 120,000 refugees and asylees. To Requestor’s knowledge, the AOS Pause Directive is not publicly available, thus its disclosure will contribute to the public’s



understanding of this crucial government activity.

**Third**, disclosure of the AOS Pause Directive will contribute to the understanding of a reasonably broad audience of persons interested in the subject. As an initial matter, the information requested impacts at least approximately 120,000 refugees and asylees.<sup>10</sup> Additionally, as discussed above, the federal government's actions curtailing access to humanitarian immigration pathways is a matter of widespread public interest;<sup>11</sup> the public should thus have a better understanding of a federal policy that curtails benefits for refugees and asylees in the United States. Finally, IRAP has the capacity and intent to disseminate widely the AOS Pause Directive directly and through its media contacts. *See* 6 C.F.R. § 5.11(k)(2)(iii) (noting that a requestor's expertise in the subject area as well as his or her ability and intention to effectively convey information to the public shall be considered when evaluating this factor).

**Fourth**, disclosure of information obtained through this FOIA will likely contribute significantly to the public's understanding of USCIS's decision to pause adjustment of status applications filed by refugees and asylees. To IRAP's knowledge, the AOS Pause Directive is not yet public, thus its disclosure will help shed light on USCIS's approach to refugees' and asylees' applications for adjustment of status and give the public a better understanding of the same.

**b. Disclosure of the Information is Not in the Requestor's Commercial Interest**

Requestor is a tax-exempt, not-for-profit 501(c)(3) organization. Requestor seeks the requested information for the purpose of educating our clients, members, and the public—not for the purpose of commercial gain. Requestor will also use the information obtained to inform our organizational materials and guidance, as IRAP provides free resources to displaced people across the world and refugees and asylees in the United States. As such, a waiver of fees is especially warranted given that “Congress amended FOIA to ensure that it be liberally construed in favor of waivers for noncommercial requesters.” *Jud. Watch, Inc. v. Rossotti*, 326 F.3d 1309, 1312 (D.C. Cir. 2003) (internal quotation marks and citation omitted).

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<sup>10</sup> *See* FY24 Data (noting approximately 44,601 and 80,954 adjustment of status applications awaited decisions by USCIS for refugees and asylees, respectively); *cf.* Mattathias Schwartz, *Judge Blocks Trump Executive Order to Suspend Refugee Program*, N. Y. TIMES, (February 25, 2025), <https://www.nytimes.com/2025/02/25/us/politics/trump-refugee-program.html> (noting that “[m]ore than 3 million refugees have been admitted to the United States under the [USRAP].”).


<sup>11</sup> *See supra* notes 7, 8.

Should the Agency deny the fee waiver request, IRAP requests to be notified in advance of incurring any costs exceeding \$100. Please provide the requested records and direct any questions to:

Pedro Sepulveda  
International Refugee Assistance Project  
One Battery Park Plaza, 33<sup>rd</sup> floor  
New York, NY 10004  
(646) 819-3805  
psepulveda@refugeerights.org

Thank you for your consideration.

Sincerely,



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Pedro Sepulveda, Litigation Fellow, U.S. Litigation, IRAP



POLITICS EXCLUSIVE

# Trump administration pauses some green card applications as part of aggressive vetting effort

By Camilo Montoya-Galvez, Nicole Sganga

Updated on: March 25, 2025 / 1:42 PM EDT / CBS News

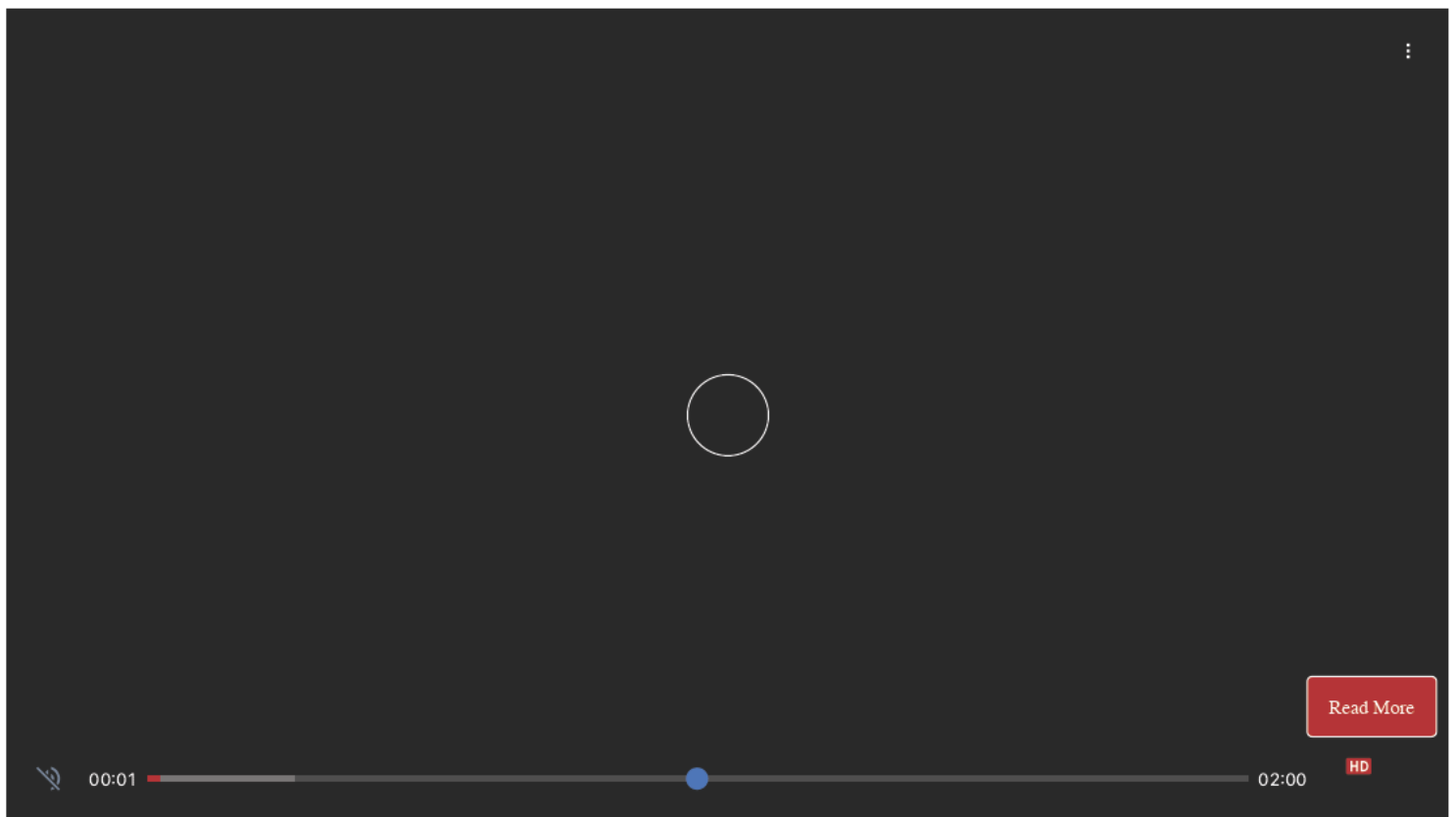
*Washington* — The Trump administration has quietly paused the processing of green card applications filed by certain individuals, including approved refugees, as part of a broader effort to more aggressively vet immigrants, multiple sources familiar with the move told CBS News.

U.S. Citizenship and Immigration Services, or USCIS, recently directed officials to suspend processing of requests for legal permanent residency submitted by immigrants granted refugee or asylum status, according to the sources, who requested anonymity to discuss an action that has not been publicly reported.

The move will, for the time being, place in legal limbo immigrants who were granted refuge in the U.S. because they proved they could be persecuted in their home countries.

Refugees are granted entry into the U.S. after an overseas and exhaustive process of security checks, medical screenings and interviews that typically takes years to complete. Asylees are foreigners in the U.S. who are granted protection by immigration judges or asylum officers. Both populations have to prove they could face persecution because of certain characteristics, such as their political views, race or religion.

The Trump administration has targeted both congressionally enacted programs, suspending the refugee process and closing the asylum system at the U.S.-Mexico border through executive orders that are currently facing federal court challenges.



In a statement, the Department of Homeland Security confirmed CBS News' reporting, saying the green card processing pause is needed to comply with two executive actions issued by President Trump, including one that questioned immigration vetting procedures under the Biden administration.

"USCIS is placing a temporary pause on finalizing certain Adjustment of Status applications pending the completion of additional screening and vetting to identify potential fraud, public safety, or national security concerns, in alignment" with Mr. Trump's executive actions, DHS said in the statement. "Adjustment of status" is the official name of the green card process.

In one of the presidential proclamations cited by officials, Mr. Trump instructed federal agencies to "vet and screen to the maximum degree possible all aliens who intend to be admitted, enter, or are already inside the United States."

The other executive order cited by officials paved the way for the State Department to designate Mexican cartels and gangs like Tren de Aragua as foreign terrorist organizations.

The pause on some green card applications is the latest action taken by the Trump administration to restrict, tighten and, in some cases, suspend legal immigration procedures on the basis of concerns about national security and fraud.

Last month, the administration, citing vetting and fraud concerns, paused all immigration applications filed by immigrants from Latin America and Ukraine who arrived in the U.S. under two Biden-era programs that relied on an authority known as humanitarian parole. The government did not announce that move publicly, but CBS News disclosed it on Feb. 19.

The administration said last week it would give over half a million migrants from Cuba, Haiti, Nicaragua and Venezuela who came to the U.S. under one of the programs 30 days to self-deport or face arrest and deportation. Trump officials have claimed the migrants were "loosely vetted" by the Biden administration and noted the program was plagued by fraud concerns.

Trump administration officials have also announced plans to more heavily scrutinize and review the social media accounts of immigrants applying for legal status, including U.S. citizenship, green cards and asylum. USCIS said the vetting of social media accounts is required for "the enhanced identity verification, vetting and national security screening."

The agency has long reviewed the social media information of immigrants applying for certain immigration benefits, but the new plan would require those applicants to submit their social media accounts, or handles, to the government for review.

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## Immigration



**Trump authorizes military to take control of public land along southern border**



**Judge allows government to continue effort to deport Mahmoud Khalil**

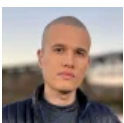


**Judge says DOJ didn't comply with order on man deported to El Salvador**



**Supreme Court rules U.S. must facilitate return of man mistakenly deported**

## Camilo Montoya-Galvez



Camilo Montoya-Galvez is the immigration reporter at CBS News. Based in Washington, he covers immigration policy and politics.